

## ATTORNEY'S FEES AND COSTS DECISION<sup>1</sup>

<sup>2</sup> The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as amended, 42 U.S.C. §§ 300aa-1 to -34 (2006) (Vaccine Act or the Act). All citations in this decision to individual sections of the Vaccine Act are to 42 U.S.C.A. § 300aa.

HIV vaccines she received on September 4, 2009, and October 5, 2009. On January 27, 2014, a decision denying compensation to petitioners because of insufficient proof was entered.

On April 2, 2014, petitioners filed a Stipulation of Fact Concerning Final Attorneys' Fees and Costs. According to the stipulation, the parties stipulate to an award to petitioners of attorneys' fees and costs in the amount of \$28,000.00. In accordance with General Order #9, petitioners' counsel represents that petitioner advanced \$49.27, in out-of-pocket expenses in pursuing their petition.

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300 aa-15(e). Based on the reasonableness of the parties' stipulation, the undersigned **GRANTS** the request for approval and payment of attorneys' fees and costs.

Accordingly, an award should be made as follows:

in the form of a check jointly payable to petitioners and Mr. Thomas P. Gallagher, in the amount of **\$28,000.00**; and

in the form of a check payable to petitioner only in the amount of **\$49.27**.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in accordance with the terms of the parties' stipulation.<sup>3</sup>

**IT IS SO ORDERED.**

s/Nora Beth Dorsey  
Nora Beth Dorsey  
Special Master

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<sup>3</sup> Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties' joint filing of notice renouncing the right to seek review.